

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 3/16/2020

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CAPITAL ONE FINANCIAL,
CORPORATION AND CAPITAL ONE
INVESTING, LLC,

Plaintiffs,

-against-

JAN HUMMER, et al.,

Defendants.
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19-cv-11582 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

On March 13, 2020, Chief Judge Colleen McMahon of the United States District Court for the Southern District of New York issued Order 20-MC-138 imposing restrictions on those who may enter the courthouse due to the COVID-19 outbreak. On the same day, Chief Judge McMahon issued Order 20-MC-154 continuing all jury trials through April 27, 2020, and encouraging all judges to conduct hearings telephonically or through video conferencing, when practicable. In accordance with these Orders, it is hereby

ORDERED that the parties are directed to answer the following questions in a joint letter by close of business March 15, 2020, so that I can assess whether or not it is appropriate adjourn the hearing on March 18, 2020, or to hold it telephonically:

- Do the parties believe the hearing should go forward on Wednesday March 18, 2020?
- If so, can the hearing be conducted by telephone or by video conference?
- What is the current status of the FINRA arbitration?
- Is the FINRA arbitration continuing as scheduled or is it delayed due to the COVID-

19 outbreak or for some other reason?

- Is there still an urgency to conduct the hearing in light of the current circumstances?
- Will either party be prejudiced by an adjournment of the hearing? If so, how so?
- If I were to adjourn the hearing, how long can the hearing be adjourned without causing prejudice to either party?

SO ORDERED.

Dated: March 16, 2020
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive, flowing style with a large initial "V".

Vernon S. Broderick
United States District Judge